

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

<b>GREGORY ANTONIO THOMAS,</b>	:	
	:	
<b>Petitioner</b>	:	
	:	
<b>v.</b>	:	<b>5:03-CR-33 (WDO)</b>
	:	
<b>UNITED STATES OF AMERICA,</b>	:	
	:	
<b>Respondent</b>	:	

**ORDER**

In a previous order, this Court dismissed Petitioner's motion to vacate or correct his sentence as time barred, noting at the time that no objection had been filed. Petitioner thereafter filed an objection. A review of his late-filed objection reveals Petitioner's acknowledgment that he untimely filed a petition for a writ of certiorari after his request for an extension of time had been denied. When he inquired regarding the status of the petition, he was informed that the Supreme Court had no record of a petition having been docketed. Petitioner then filed his § 2255 motion more than six months later. As explained in previous orders and memoranda, Petitioner has failed to show any due diligence on his part or any other reason to justify tolling the strict one-year statute of limitations.

**SO ORDERED this 30<sup>th</sup> day of May, 2007.**

**S/  
WILBUR D. OWENS, JR.  
UNITED STATES DISTRICT JUDGE**